

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re Chapter 11
:
LEHMAN BROTHERS HOLDINGS INC., et al., Case No. 08-13555 (JMP)
:
(Jointly Administered)
:
Debtors. ORDER
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Upon the motion dated October 18, 2010, of Symphony Asset Management LLC on behalf of Encore Fund, LP (“the Claimant”) pursuant to Federal Rule of Bankruptcy Procedure 9006(b) for an order to deem the proof of claim of Encore Fund, LP c/o Symphony Asset Management (Claim No. 34460) timely filed (“the Motion”); and the Court having jurisdiction to consider the Motion and the relief requested therein in accordance with 28 U.S.C. §§ 157 and 1334 and consideration of the Motion and the relief requested therein being a core proceeding pursuant to 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and 1409; and due and proper notice of the Motion having been provided; and no objection or other responsive pleading to the Motion having been filed with the Court on the docket of the above-referenced cases nor has any objection or other responsive pleading with respect to the Motion been served on counsel for the Claimant; and it appearing that the legal and factual bases set forth in the Motion establish just cause for the relief granted herein; and after due deliberation and sufficient cause appearing therefore; it is

ORDERED that the Motion is hereby granted; and it is further

ORDERED that Claim No. 34460 be and the same hereby is deemed timely filed and shall be treated by the Debtors as having been timely filed; and it is further

ORDERED that the Debtors hereby waive any and all rights to object to Claim No. 34460 on timeliness grounds; and it is further

ORDERED that, except as otherwise provided in this Order, this Order has no res judicata, estoppel, or other effect on the validity, allowance, or disallowance of Claim No. 34460 and all parties' rights with respect to Claim No. 34460 are expressly preserved, including all rights to object and defend on any basis; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to the implementation or interpretation of this Order.

Dated: New York, New York
June 19, 2012

s/ James M. Peck
HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE